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Rising Sino-Vietnamese Tensions in the South China Sea

Vera Dicke and Heike Holbig

In May 2014 China started to drill for oil near the Paracel Islands, an area claimed by both Vietnam and China as territorial waters, which led to considerable diplomatic tensions and violent actions against Chinese enterprises in Vietnam.

Analysis

China's recent activity reveals an increasing assertiveness, which has raised concerns about possible military actions in the South China Sea. One could argue that China's latest undertaking is proof of its increasingly threatening behavior, thereby confirming the "China threat" thesis. However, when analyzing the context of the South China Sea disputes in recent years, the aforementioned events are consistent with an increasingly assertive behavior demonstrated by several claimant states. China's conduct in the South China Sea is determined by local conflict dynamics and should therefore not dictate Chinese foreign policy in other areas.

- At first glance, China's behavior could be interpreted as symptomatic of a country that is attempting to change the world order. This could provide the United States and Japan, who are increasingly distrustful of China, with justification for further containing China and embarking on a more confrontational course with the Chinese government.
- Politics in the South China Sea, where the territorial claims of several states overlap, are marked by a high degree of legal ambiguity, symbolic actions and nationalist resentment. Any provocative action should be interpreted within this conflict context.
- Although China's behavior in the South China Sea has indeed become increasingly assertive, so has that of several other claimant states – among them the Philippines and Vietnam. Therefore, China's drilling activities should not be taken as evidence of a growing boldness in other policy areas but rather as part of China's strategy in the South China Sea.
- The perception of an increasingly assertive China does not stand up to an examination of its actual behavior in international politics. However, acting according to this perception in the longer run could create mistrust and frustration on the Chinese side and turn out to be a self-fulfilling prophecy.

Keywords: China, Vietnam, border areas, international conflicts, South China Sea

A Highly Controversial Oil Platform

Recent events in the South China Sea give cause for serious concern and raise questions about China's territorial policy. On 3 May 2014 China announced that the state-owned *China National Offshore Oil Corporation* (CNOOC) would deploy an oil rig in an area near the Paracel Islands. This area in the South China Sea is claimed by both China and Vietnam as territorial waters and represents one of many disputed areas in the South China Sea. The Vietnamese government objected to this move and declared that the oil platform would be operating within its territorial maritime zone. Nevertheless, China suited the action to the word and situated the Haiyang Shiyou 981 platform in the disputed waters and safeguarded the rig with a three-mile exclusion zone defended by approximately 80 coast guard and military vessels. Approaching Vietnamese ships were rammed and targeted with water cannons. This incident triggered large-scale demonstrations among the Vietnamese population, which culminated in riots against Chinese citizens and enterprises that left at least four people dead and saw thousands of Chinese workers flee Vietnam (*The Economist* 2014). The Association of Southeast Asian Nations (ASEAN), in which Vietnam pushed for official condemnation of China's behavior, reacted rather softly to these events and opted not to censure China directly (Panda 2014). The drilling platform remained in place until mid-July 2014 and provoked several incidents between Vietnamese and Chinese boats (Consulate of Vietnam 2014). Declaring that the exploratory drilling had been completed, the CNOOC withdrew the platform one month earlier than planned. However, the situation remains tense. On 9 September 2014 Vietnam accused China of having arrested and beaten up two Vietnamese fishermen. China claimed that the men were unlawfully fishing with explosives. Vietnam has demanded compensation for the fishermen, while China has called for an end to illegal fishing activities (*The China Post* 2014). Since the deployment of the oil platform, both nations have adopted a more assertive tone.

Do these events show that China's behavior has become increasingly forceful, thereby confirming the "China threat" thesis? If so, it would provide other states – especially the United States – with a reason to pursue a containment policy toward China. Because such an approach would entail serious attempts to limit China's growing power and

the consequent risks and disturbances for all concerned parties, it is important to scrutinize whether the Chinese threat actually exists. In this Focus issue, we will investigate the threat potential emanating from the recent events by taking into account the regional context of the South China Sea and China's general behavior in foreign politics. First, we will explain the theoretical background of the "China threat" thesis and analyze the current situation from this viewpoint. Second, we will scrutinize this argument by taking into account the general context of the South China Sea, the territorial disputes in recent years between China and Vietnam, and China's behavior in other areas of foreign policy. Third, we will briefly assess the value of a containment policy in this setting and recommend how other states should react to the recent Sino-Vietnamese tensions.

Is China Finally Revealing its True Colors?

China's placement of an oil platform in disputed waters appears to support the perception of the Chinese threat to US hegemony and the Western world order. This theory also assumes that China will behave more assertively and provocatively toward its neighbors, as they did vis-à-vis Vietnam. The "China threat" thesis developed in Anglo-American debates during the 1990s against the backdrop of the growing awareness of China's rise. It was reinforced by Chinese elite discourses that continually circulated negative images of the People's Republic of China allegedly held in the West, particularly the "Western 'China Threat Theory'", in an effort to consolidate nationalist identity at home (Callahan 2006). Although the use of the concept had declined greatly during the early years of the new century, its popularity picked up again in 2008 with observers noting a new assertiveness in China's rhetoric and foreign policy that suggested "[t]he Chinese are finally 'revealing their true colors'" (Swaine 2010: 1).

The school of realism provides substantial arguments for the Chinese threat. Given the anarchic circumstances of the international system, every state seeks to secure its survival by minimizing the potential of attack by a stronger state. For a relatively strong state such as China, the best way to achieve this goal is to become more powerful than the potential aggressors in its neighborhood – that is, to become a regional hegemon. The

United States, which according to Mearsheimer is not a global hegemon but “the only regional hegemon in modern history” (Mearsheimer 2010: 388), will try to contain China’s rise because it is a peer competitor of similar strength and thus reduces US security. China, on the other hand, will eventually challenge US power as it is the best way to ensure its own long-term survival. According to Mearsheimer, there is “considerable potential for war” between the two powers (Mearsheimer 2006: 160). Furthermore, some authors see an ideological conflict between China and the current international order that is shaped by Western values. As soon as it has enough power, China will either try to modify this order or construct a “parallel order more to its liking,” within which it can exercise regional dominance (Pei 2014: 147).

Taking the recent events into account, these realist scenarios appear to be quite probable. By drilling for oil in this contested area, China has made clear that it will not relinquish its territorial claims. Furthermore, China has shown that it can assume control over these areas without fear of military reprisals from its smaller neighbors. For instance, despite having recently deepened its ties with the United States, Vietnam remained powerless against the 80 Chinese coast guard and military vessels that surrounded the controversial Haiyang Shiyou 981 rig. At the same time, the other ASEAN states refrained from officially condemning China’s actions so not to upset their important trading partner. It is thus clear that China has completed the first step toward regional hegemony. Although China is not yet ready to openly confront the United States, the Paracel Islands proved to be an ideal test case to observe US reactions toward such assertive behavior. From a Chinese perspective, the results were positive: the United States merely condemned China’s behavior as “provocative,” which could be considered quite a soft reaction (Panda 2014).

In the view of some analysts, the islands in the South China Sea constitute a core interest for China and are nearly as important as the Taiwan issue (Goldstein 2013: 137). According to Luo Shou and Wang Guifang, the main task now for a rising China is to construct a secure surrounding environment by upholding the integrity of state sovereignty and national identity (cited in Lynch 2009: 100). If we assume that “China will want to dictate the boundaries of acceptable behaviour to neighbouring countries” (Mearsheimer 2006: 162), China’s placement of the oil platform shows that it places a

premium on others respecting its territorial claims – otherwise they will be implemented by force.

To contain this development, the United States has launched a strategic “pivot” to Asia, which has seen them considerably increase their military and economic engagement in China’s neighborhood during the past few years. With this initiative, the United States has signaled to the Chinese government that it is prepared to act aggressively if required. According to the US government, the pivot shall protect international law and norms, safeguard commerce and freedom of navigation and ensure peaceful conflict resolution with emerging powers in the Asia-Pacific region (Manyin 2012). Some observers argue that this could make China think twice about intimidating its neighbors (Pei 2014). As we can see, the strategies of other powers (e.g., the United States) will be greatly influenced by how they interpret China’s behavior and whether they perceive China as a threat. Therefore, before making strategic decisions, the context of the South China Sea should be taken into consideration.

The South China Sea: A Sensitive Area

The territorial claims of several states overlap in the South China Sea. Multiple small island groups and reefs are disputed by China, Vietnam, the Philippines, Malaysia, Brunei and Indonesia. The Spratly Islands and the Paracel Islands have especially given rise to confrontations between the different nations’ respective coast guard and fishermen. In 1974 China occupied the Vietnamese part of the Paracel Islands and has exercised full control over the islands ever since. In 1988 the same happened with several atolls and reefs of the Spratly Islands. These two clashes between China and Vietnam have thus far been the only military confrontations in the area. Usually, water cannons fired by coast guard ships are the heaviest weapons used in these disputes. Injuries or deaths resulting from such skirmishes are rare, but the diplomatic consequences of such incidents have often been severe (Kreuzer 2014).

China and Taiwan claim all island groups in the South China Sea to be their territory. China makes use of the so-called nine-dash line that encompasses all islands in the South China Sea (Swaine and Fravel 2011). Vietnam lays claim to the Spratly Islands and the Paracel Islands; the Philippines, to parts of the Spratly Islands. Meanwhile, Malaysia,



Source: <<http://namvietnews.files.wordpress.com/2012/08/25-nine-dashed-line-in-the-south-china-sea.jpg>> (22 October 2014).

Brunei and Indonesia insist on their exclusive economic zones (EEZs) and the islands within them (Kreuzer 2014). All nations ground their claims in historical argumentation: They have all exercised their sovereign rights at different periods of time – often simultaneously over the aforementioned islands – and thus appeal to customary law, according to which a state might gain sovereignty over a territory if its exercise of sovereign rights was tolerated by other states over a long period of time. As the islands have never been inhabited due to their remote location and were only used as fishing grounds by the different nations, it is virtually impossible to decide on these historical claims. The United Nations Convention on the Law of the Sea (UNCLOS), adopted in 1982, further complicates the disputes by assuring nation states an EEZ of up to 200 nautical miles from the coast (ibid.). In these zones, the nation state has the right to exploit and explore resources, such as fishing, installing wind turbines and drilling for oil. The possession of some islands in the middle of the sea would enlarge an EEZ considerably.

A Spiral of Reactions and Counterreactions

To assess China's behavior, we should take a closer look at the recent events. Roughly since 2009 the conduct of all claimants in the South China Sea has become increasingly aggressive. In May 2009 a UN deadline expired that had been set for the affected Southeast Asian states to submit their respective claims on areas going beyond their EEZs

(Kreuzer 2014). Vietnam, Malaysia and the Philippines submitted claims that encompassed disputed waters (Swaine and Fravel 2011). China reacted with a *note verbale* to the UN Secretary-General, claiming "indisputable sovereignty over the islands of the South China Sea" (ibid.: 2), which triggered counterclaims by the Philippines. Tensions have since increased in the South China Sea. Various countries' coast guard ships have rammed fishing boats, while exploration vessels have been forced by other nations to leave disputed areas. The roles of aggressor and victim have constantly changed, although confrontations between China and Vietnam or the Philippines have more frequently been reported than those between Vietnam and the Philippines.

In 2012 the Philippines was the first country since the 1980s to use an armed military ship on the Scarborough Shoal against Chinese fishermen. In the context of the South China Sea disputes, this was a clear sign of escalation (Kreuzer 2014).

Although reports about risky incidents and coast guard ships ramming fishing boats have increased, Vietnam's strategy toward China seems to be more subtle. In 2007 it amplified its own oil exploration efforts in waters also claimed by China and in 2011 conducted seismic surveys in those same waters (Swaine and Fravel 2011). In the diplomatic realm, Vietnam's strategy has been to internationalize the dispute – something China wants to avoid – in order to generate support for its claims among the international community (Swaine and Fravel 2011). It has hosted several international conferences about the South China Sea (the last in July 2014), the deployment of the Haiyang Shiyou 981 platform and the possibilities of an international lawsuit against China (ibid.; Dien 2014). By inviting international guests, Vietnam is publicly underlining its own claims and trying to legitimize them. Vietnam also decided to take legal action against China over the Haiyang Shiyou 981 rig (Dien 2014).

Despite this, there have also been diplomatic efforts to ease tensions between the two countries. For example, in 2011 China and Vietnam agreed to conduct bilateral negotiations on the South China Sea and to enhance cooperation in less sensitive fields, such as maritime environmental protection and sea-related scientific research (Vietnam+ 2011).

Hotlines between the countries' respective foreign ministries and agriculture ministries were established in order to manage emerging confrontations. Furthermore, during Premier Li Keqiang's visit to Vietnam in October 2013 (*Vietnam News* 2013), numerous agreements were signed, thus revealing how intense economic and diplomatic cooperation had become throughout the previous few years.

However, in the security realm, things look different. Vietnam is increasingly strengthening its ties with the United States and Japan (Manyin et al. 2012), both of which support Vietnam's coast guard – a central actor in the disputes in the South China Sea. In the light of China's positioning of the Haiyang Shiyou 981 oil rig, Vietnamese officials have suggested that US warships could be allowed to visit the country's strategic port of Cam Ranh Bay. Whereas the Philippines has sided with the United States as part of a bandwagoning strategy and opposes China, Vietnam has employed a balancing approach and cooperates with both the United States and China in order to preserve room for maneuver (Kreuzer 2014). In view of the recent events, however, this balance of cooperation might tilt toward the United States.

China has a longstanding two-pronged strategy in the South China Sea. On the one hand, it tries to avoid severe conflicts through negotiation and cautious management. In these negotiations, it aims at deferring any final solution. On the other hand, it maintains a fierce defense against any attempts by the other claimant states to change the status quo to its disadvantage (Swaine and Fravel 2011). China's placement of the Haiyang Shiyou 981 rig could fall into the second part of this strategy. Although it is difficult to say what exactly triggered China's decision to move the oil platform into the disputed waters, it is highly probable that China – despite diplomatic efforts on both sides – felt provoked by Vietnam in a spiral of reactions and counterreactions. For example, in 2012 PetroVietnam and CNOOC both invited foreign companies to explore the same area in the South China Sea, which resulted in a diplomatic crossing of swords (*Bloomberg News* 2012). This may have instigated a race to be the first to drill for oil in this area. If the deployment of the oil platform fits with the second part of the two-pronged strategy, its early withdrawal could belong to the first part – namely, the avoidance of severe conflicts. In removing the oil rig from the

disputed waters one month earlier than scheduled, China reaffirmed that the purpose of the oil rig was exploratory drilling and that it had always intended to leave once it had finished its work. Nevertheless, the diplomatic damage had certainly been done and will remain for some time. It is thus clear that the second element of China's two-pronged strategy guided this action.

To be clear, China's actions in the South China Sea cannot be described as peaceful or purely as self-defense; though the same can be said about the other claimant states. The level of assertiveness by all concerned parties has increased considerably in recent years and has triggered an endless spiral of provocations, reactions and counterreactions. The alleged – and in fact questionable (Kreuzer 2014) – oil reserves only explain part of this development. Territorial issues have always been and always will be an area of high sensitivity. Decisions have to be balanced between strategic geopolitical considerations, diplomatic conduct and nationalist sentiment among the population. In recent years strategic geopolitical concerns and nationalism have clearly dominated, though the remaining rules of diplomatic conduct have been able to prevent major escalations. Also, China's decision in spring 2013 to merge the various competing bureaucracies in charge of maritime policies into the new State Oceanic Administration – which aims to regain control and command over domestic actors' behavior in territorial disputes with neighboring countries (Noesselt and Hieber 2013) – corroborates the willingness of the Chinese leadership to avoid a dynamic escalation of existing tensions.

Short-Term versus Longer-Term Implications

How should we assess the rising tensions in Sino-Vietnamese relations against the backdrop of an ongoing shift of global power constellations? As this paper has argued, once the wider context of territorial disputes in the South China Sea is taken into account, there is no indication that China has unilaterally expanded its claims or used force on an unusual scale. Although the government has been somewhat more assertive about its territorial claims in the Pacific since 2009, particularly vis-à-vis Japan, this should not be regarded as an expression of expansionist ambitions. For the time being this confirms the general impression that the country's foreign policy strategy has

not fundamentally changed since the new party-state leadership under Xi Jinping came to power in 2012 (Noesselt and Hieber 2013). Rather, it seems that secure surroundings, good trade relations with neighboring states and the capability of the United States to protect the sea routes are highly valued by the Chinese government as safeguards of its priority goal of economic development. The strategy of deferring the disputes in the South China Sea while maintaining its current territorial claims corresponds with China's core interest; challenging the world order certainly does not. In contrast to economic development, China's leadership seems to have consciously avoided defining the South China Sea as a core interest because doing so could impede a negotiated settlement of the disputes (Johnston 2013).

In the medium and longer term, though, things may look different. Even though China used to comply relatively well with – and benefitted considerably over the past two decades from – the rules of the game of the liberal world order, it has now started to attempt to reshape those rules. Judging from its role in large multilateral frameworks such as the IMF, the World Bank, the WTO and the global climate regime, the Chinese government has become increasingly proactive in demanding more say on global governance issues over the past few years. Although China's approach to reshaping the global rules can be described as evolutionary rather than revolutionary, it does so in a manner that can be seen as a clear challenge to what it sees as US hegemony in these organizations. Given its strong economic performance, these attempts might be successful in the longer run – particularly if the Chinese leadership manages to communicate more coherently with other emerging economies (Kappel and Pohl 2013; Hou et al. 2014).

If this trend of an incremental global shift of economic power and rule-shaping capacities continues, it might also have implications for China's geopolitical and territorial ambitions. When faced with any increasing challenge to its global hegemony, the United States has tended to react with more assertive behavior, such as the "Pivot to Asia" strategy formulated in 2011. Not only is the increased military engagement of the United States already suspiciously observed by China, it has led to a growing potential for misperceptions on all sides. If anything, the "Pivot to Asia" strategy will aggravate the already existing security di-

lemmas in the Pacific and the South China Sea in particular. Specifically, it will increase the risks for all parties involved in the territorial disputes to mistake each other's defensive actions as offensive intentions and will stimulate military build-ups (see also Glaser 2011; Goldstein 2013). The United States may well have other valid reasons for increasing its engagement in the region; at the same time, however, it should avoid appearing as though it is engaged in a containment policy toward China. As Charles Glaser points out, "the popular belief that a rising China will severely threaten US security could become a self-fulfilling prophecy" (Glaser 2011: 89).

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